

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**JULIA VLADIMIRSKY and BERNARD )  
ORTIZ, individually and on behalf of all )  
others similarly situated, )**

**Plaintiffs, )**

**v. )**

**MCCORMICK & COMPANY, INC., )  
WALMART STORES INC., and )  
JOHN DOES 1-100, )**

**Defendants. )**

**No. 15 C 8102**

**Judge Jorge L. Alonso**

**ORDER**

Plaintiffs sue defendants for their alleged violations of the Sherman Act (Count I) and various state consumer protection statutes (Count II) and for unjust enrichment (Count III). McCormick has asked the Judicial Panel on Multidistrict Litigation (“JPML”) to transfer this case and eight others filed against it across the country to one court for consolidated pretrial proceedings, and asks the Court to stay these proceedings until the JPML renders its decision. Plaintiffs and defendant WalMart do not object to a stay but think it should be limited to Counts II and III, which are the only claims asserted in the other eight cases, and not the Sherman Act claim in Count I.

“In deciding whether to grant a stay pending the JPML decision to transfer a case to an MDL, courts consider: (1) whether judicial economy favors a stay; (2) the potential prejudice to the non-moving party; and (3) any hardship or inequity to the moving party if the case is not stayed.” *Paul v. Aviva Life & Annuity Co.*, No. 09 C 1038, 2009 WL 2244766, at \*1 (N.D. Ill. July 27, 2009) (citations omitted). Given that McCormick has asked the JPML to transfer this entire case it makes little sense to start any proceedings here until after the transfer decision is issued. Moreover,

because the JPML's decision is expected next month, none of the parties will suffer any prejudice from the short delay. Accordingly, the Court grants McCormick's motion to stay [16], denies WalMart's motion for a partial stay [25], and stays the proceedings in this case until the JPML issues its decision on McCormick's motion to transfer. The November 10, 2015 status hearing date is stricken.

**SO ORDERED.**

**ENTERED: November 6, 2015**

A handwritten signature in black ink, consisting of a large, loopy 'J' followed by 'L. A.' and a small flourish.

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**HON. JORGE L. ALONSO**  
**United States District Judge**